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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,371	01/09/2002	James E. Pitkow	D/99467	6328

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EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/043,371	Applicant(s) PITKOW, JAMES E.	
	Examiner Gregory F. Cunningham	Art Unit 2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-24 and 37-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-24, 43-48 and 67-72 is/are allowed.
- 6) ☒ Claim(s) 37-42 and 49-66 is/are rejected.
- 7) ☒ Claim(s) 38, 39, 41, 42, 51, 53, 54, 56-60 and 62-66 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> . |

Continuation of Attachment(s) 6). Other: Reasons for indicating allowable subject matter.

DETAILED ACTION

1. This action is responsive to communications of amendment received 2/22/2005.
2. The disposition of the claims is as follows: claims 19-24 and 37-66 are pending in the application. Claims 1 – 9, 37, 43, 49, 53 and 61 are independent claims. Claims 1-18 and 25-36 have been cancelled. Claims 67 - 72 are newly added, all independent claims.

Drawings

3. In view of amended drawings, objects to drawings are withdrawn.

Claim Rejections - 35 USC § 112

4. In view of amended claim 19, rejection is withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 37, 49, 55 and 61 are rejected under 35 U.S.C. 102(b) as being disclosed by Richards et al., (US Patent 5,121,469), hereinafter Richards.

A. Claim 37, “A system for interactive data analysis, comprising:

a display device for displaying a set of data as a two-dimensional data plot, wherein said data

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plot is one of a scatter plot [col. 19, lns. 40-47] or contour plot of said data;

a data pane image generation logic for overlaying a data pane image with said two-dimensional data plot, said data pane image includes a focus region [col. 19, lns. 47-53, wherein 'pay particular attention to a selected area of a display' and 'enlarge' corresponds to "focus region"], wherein said data pane image generation logic further includes instructions for mapping data displayed within said focus region to one or more display objects to be displayed in conjunction with said data pane image [see Fig. 14]; and

a user input device for inputting instructions to said data pane image generation logic to interact with and control the operation of said focus region [col. 19, lns. 58-61]" is disclosed by Richards [as detailed].

B. Claim 49, "A system for allowing a user to interactively analyze data, including a processor-based machine having a memory, said memory including instructions for: retrieving items of data from a data storage device;

displaying said data as a two-dimensional plot upon a display device, wherein said plot is one of a scatter plot [col. 19, lns. 40-47] or contour plot of said data;

overlaying a data pane window upon said data, said data pane window including a focus area [col. 19, lns. 47-53, wherein 'pay particular attention to a selected area of a display' and 'enlarge' corresponds to "focus region"]; and

allowing a user to examine said data via an input device that controls the position of said focus area, wherein moving the focus area to a position within said data pane causes the data represented within said focus area to be retrieved from said memory, and mapped using a

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mapping operation to a plurality of display objects for display within said data pane window [col. 19, lns. 58-68; col. 6, lns. 26-45]" is disclosed by Richards as [detailed].

C. Per independent claims 55 and 61, these are directed to a method for the system of independent claim 37 and 49, and therefore are rejected to independent claims 37 and 49.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 40 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards as applied to claim 37 above, and further in view of Anupam et al., (US Patent 5,966,139), hereinafter Anupam.

A. Claim 40, "The system of claim 37 further comprising: means for scratching within said data pane image, allowing a user to move a cursor over data displayed within the data pane image and cause said focus area to be enlarged" is disclosed supra for claim 37" is disclosed by Richards supra for claim 37.

However, Richards does not appear to disclose "means for scratching within said data pane image, allowing a user to move a cursor over data displayed within the data pane image and cause said focus area to be enlarged", but Anupam does in col. 5, lns. 28-42. Wherein 'drill-down' corresponds to "means for scratching" as detailed in applicant's specification in para. [0017].

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply 'an x-y scatter plot' capable of enlarging selected area of display' disclosed by Richards in combination with 'drill-down' (scratching) disclosed by Anupam, and motivated to combine the teachings because it would provide a holistic display of the information using compact metaphors, with the goal of maximizing the amount of information to be viewed in the display space as revealed by Anupam in col. 1, lines 40-43.

B. Per dependent claim 52, this is directed to a system for the system of dependent claim 40, and therefore is rejected to dependent claim 40.

Allowable Subject Matter

9. Claims 38, 39, 41, 42, 51, 53, 54, 56-60 and 62-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 19-24, 43-48, and 67-72 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

While the closest prior art to applicant's instant invention are Richards and Anupam. Wherein Richards teaches scatter plots and enlarging specific areas (focus area), whereas Anupam discloses dataset drill-down (scratching). However neither Richards nor Anupam teach "image display instructions for overlaying upon said data display an interactive analysis tool, said image display instructions include instructions for generating a data display region, an active axis mapped to a variable component of said data" as claimed in independent claim 19; nor

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“overlaying a data pane image in combination with said two-dimensional data plot, said data pane image includes an active axis mapped to a first component variable of said data and a focus region defining a subset of said two-dimensional data plot; receiving input from a user to interact with said active axis and to reposition said focus region to a second focus region” as claimed in independent claim 43; nor

“active axis” and/or “bumping” as disclosed in independent claims 67-72.

Therefore independent claims 19, 43, and 67-72 are allowed. Claims 20-24, 44-48 and 62-66 depend from allowable independent claims 19, 43 and 67, respectively, and therefore are also allowed..

Response to Arguments

11. Applicant's arguments with respect to claim 37, 40, 49, 52 and 61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Responses

13. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784. The examiner can normally be reached on Mon. - Thurs. 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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J.F. Cunningham

Gregory F. Cunningham
Examiner
Art Unit 2676

gfc

6/13/2005

Matthew C. Bella

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